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PTO/SB/21 (08-03)

Approved for use through 8/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | <b>Application Number</b>   | 10/840,126                    |          |
|  | <b>Filing Date</b>          | May 5, 2004                   |          |
|  | <b>First Named Inventor</b> | Robert Olsen                  |          |
|  | <b>Group Art Unit</b>       | 2661                          |          |
|  | <b>Examiner Name</b>        | Unassigned                    |          |
| <b>Total Number of Pages in This Submission</b>  |                             | <b>Attorney Docket Number</b> | CISCP856 |

| ENCLOSURES (check all that apply)   |  |  |
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| Please make the enclosed of record.   |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| <b>Firm and Individual name</b>            | RITTER, LANG & KAPLAN LLP<br>Cindy S. Kaplan Reg. No. 40,043 |
| <b>Signature</b>                           |  |
| <b>Date</b>                                | October 27, 2004   |

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|   |                |             | October 27, 2004 |
| <b>Typed or printed name</b>  | Diane Elzingre |             |                  |
| <b>Signature</b>  |                | <b>Date</b> | October 27, 2004 |

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Attorney Docket No. CISC856  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Robert Olsen et al.

Application No.: 10/840,126

Filed: May 5, 2004

For: HIERARCHICAL QoS BEHAVIORAL  
MODEL

Examiner: Unassigned

Group: 2661

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§1.56 AND 1.97(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO/SB/08A, copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-1652 (Order No. CISC856).

Respectfully submitted,

[Signature]

Cindy S. Kaplan  
Reg. No. 40,043

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of

Attorney Docket Number

**Complete if Known**

|                        |              |
|------------------------|--------------|
| Application Number     | 10/840,126   |
| Filing Date            | May 5, 2004  |
| First Named Inventor   | Robert Olsen |
| Art Unit               | 2661         |
| Examiner Name          | Unassigned   |
| Attorney Docket Number | CISCP856     |

**U.S. PATENT DOCUMENTS**

| Examiner | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|----------|-----------------------|--|--------------------------------|--|---|
|          |                       | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
|          | AA                    | US-5,864,540                             | 01-1999                        | Bonomi et al.                                      |   |
|          | AB                    | US-6,130,878                             | 10-2000                        | Charny   |   |
|          | AC                    | US-6,408,005                             | 06-2002                        | Fan et al.   |   |
|          | AD                    | US-                                      |                                |  |   |
|          | AE                    | US-                                      |                                |  |   |
|          | AF                    | US-                                      |                                |  |   |
|          | AG                    | US-                                      |                                |  |   |
|          | AH                    | US-                                      |                                |  |   |
|          | AI                    | US-                                      |                                |  |   |
|          | AJ                    | US-                                      |                                |  |   |
|          | AK                    | US-                                      |                                |  |   |
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|          | AM                    | US-                                      |                                |  |   |
|          | AN                    | US-                                      |                                |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup>           |
|-----------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
|                       |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                |   |  |                          |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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